

**UNITED STATES DISTRICT COURT**  
**for**  
**EASTERN DISTRICT OF NORTH CAROLINA**  
**WESTERN DIVISION**

**U.S.A. vs. Alvis Luther Evans**

**Docket No. 5:03-CR-43-1H**

**Petition for Action on Supervised Release**

COMES NOW John A. Cooper, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Alvis Luther Evans, who, upon an earlier plea of guilty to 21 U.S.C. § 841 (a)(1), Possession With Intent to Distribute More than 50 Grams of Cocaine Base (Crack), and 18 U.S.C. § 924(c)(1)(A), Possession of a Firearm in Furtherance of a Drug Trafficking Crime, was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on June 8, 2004, to the custody of the Bureau of Prisons for a term of 200 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 60 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall abstain from the use of any alcoholic beverages, shall not associate with individuals consuming alcoholic beverages, shall not frequent business establishments whose primary product to the consumer is alcoholic beverages, and shall not use any medication containing alcohol without the permission of the probation office or a prescription from a licensed physician.
3. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.

On December 6, 2005, pursuant to Rule 35(b), the court reduced the term of imprisonment to 120 months. Alvis Luther Evans was released from custody on August 1, 2011, at which time the term of supervised release commenced.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

Alvis Evans has been reported to the court three times since his release, once for using marijuana and twice for incurring new criminal charges involving a domestic violence against his girlfriend. The court held these violations in abeyance pending disposition of the charges in state court. As of this date, one charge has been dismissed and the other charge remains pending. Evans' girlfriend, Norelly Lockamy, the victim in each incident has not been cooperative with state

authorities or the U. S. Probation Officer, thus hindering the state's ability to convict Evans of these offenses.

On May 23, 2013, Evans was again charged by the Fayetteville, NC, police with Assault on a Female, against Norelly Lockamy. Ms. Lockamy did call the probation officer following this incident and reported Evans came to her apartment uninvited and assaulted her by grabbing her hair, striking her in the face and body, and choking her. She was not seriously injured and Evans was released on bond. Evans reported this incident to the probation officer and has denied his guilt. Our office has repeatedly asked Ms. Lockamy to provide a statement to the probation office regarding these incidents, but she has failed to do so.

Additionally, on May 23, 2013, Evans was indicted in Cumberland County on the charges of Felonious First Degree Burglary, Assault on a Female, and Communicating Threats, which allegedly occurred on January 30, 2013. He was also indicted on a new charge of being a Habitual Felon. These charges remain pending in Cumberland County Superior Court for disposition. As such, our office is recommending court action on the new criminal conduct be held in abeyance until the disposition of the charges. However, we would recommend supervision be modified to require Evans to participate in a Cognitive Behavioral Therapy Program as directed by the probation officer to address a continued pattern of domestic violence incidents, and improve his decision making and behavioral processes.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. The defendant shall participate in a cognitive behavioral program as directed by the probation office.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.


/s/ Robert L. Thornton  
Robert L. Thornton  
Supervising U.S. Probation Officer

/s/ John A. Cooper  
John A. Cooper  
U.S. Probation Officer  
2 Princess Street, Suite 308  
Wilmington, NC 28401-3958  
Phone: 910-815-4857  
Executed On: July 17, 2013

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**ORDER OF COURT**

Considered and ordered this 18<sup>th</sup> day of July, 2013, and ordered filed and made a part of the records in the above case.

  
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Malcolm J. Howard  
Senior U.S. District Judge